

Appln. No. Serial No. 10/781,528
Amdt. Dated 9/19/05
First Response in Appln, Reply to Office Action of 04/19/2005
Page 10 of 13

REMARKS

Claims 2, 3, and 17- 20 have been amended, Claims 1 and 4 have been cancelled and Claims 5-16 and 21-23 have been withdrawn in the foregoing amendment.

Restriction Requirement

The foregoing amendment withdraws Claims 5-16 and 21-23 consistent with the provisional election previously made.

Objection to the Drawings

The Examiner objected to the drawings alleging that the subject matter of Claims 18 and 19 must be shown in the drawings or cancelled from the claims. Claims 18 and 19 are directed to subject matter that is similar to the subject matter of Claims 2 and 3 respectively, except that Claims 18 and 19 recite a wavy inner pipe and Claims 2 and 3 recite a spiral inner pipe. The specification describes the inner pipe as spiral or wavy. For example, "any one of the embodiments of the present invention manufactures a double pipe by inserting a spiral or wavy inner pipe into an outer pipe and pressing the inner pipe and outer pipe against each other without arranging connecting rigs between the inner pipe and the outer pipe." *See e.g.* Specification, page 12, lines 18-23. Figures 3-6 and the accompanying text describe various ways for pressing the inner pipe and outer pipe against each other. Although Figures 3-6 illustrate a spiral pipe, the figures are also applicable for a wavy pipe since the specification makes it clear that the inner pipe can be either spiral or wavy. Thus, it is submitted that Claims 18 and 19 are adequately described by the specification.

Claim Objection

The Examiner objected to Claim 4 alleging that the claim is unclear. The foregoing amendment to Claim 4 clarifies the claimed invention.

Appln. No. Serial No. 10/781,528
Arndt. Dated 9/19/05
First Response in Appln, Reply to Office Action of 04/19/2005
Page 11 of 13

Claim Rejections

Claims 2, 3, 18 and 19

The Examiner rejected Claims 1-4 and 17-20 relying upon USPN 3,750,058 to *Bankert, Jr. et al.* ("*Bankert*"), USPN 2,259,433 to *Kitto* ("*Kitto*") and/or DE 144701. The foregoing amendment to the claims clarifies the relationship between the outer pipe and the inner pipe. For example, Claims 2 and 18 recite that the outer pipe has a curved part with a flattened cross-section to hold the inner pipe and Claims 3 and 19 recite that the outer pipe is crushed inwardly to hold the inner pipe.

Bankert describes an elongated member (5) that supports a waveguide (4) within a conduit (2). The elongated member is wrapped around the waveguide and provides continuous support for the waveguide. In particular, the elongated member "provides a very stiff support which prevents further movement of waveguide 4 towards conduit 2." Column 4, lines 31-33.

Bankert does not describe a spiral or wavy inner pipe configured to be held by an outer pipe, as recited by Claims 2, 3, 18 and 19. The waveguide is concentric with the outer pipe and the elongated member is wrapped around the waveguide. The elongated member is not held by the outer pipe.

The Examiner admitted that *Bankert* does not describe an outer pipe being locally or wholly crushed inwardly in a diametrical direction to hold the inner pipe at each crushed part. However, the Examiner alleged that *Kitto* describes indentations that hold the inner pipe and that it would have been obvious to combine *Bankert* and *Kitto* to hold and secure an inner pipe.

Kitto describes an inner pipe and an outer pipe. The inner pipe is supported at the curved portions by indentations that "bear against the inner tube 10 to space it in concentric relation with respect to the outer tube 11." Column 2, lines 36-38. Although *Kitto* describes indentation that hold an inner pipe, the inner pipe is concentric with the outer pipe, it is not spiral or wavy, as required by the claims.

Appln. No. Serial No. 10/781,528
Amdt. Dated 9/19/05
First Response in Appln, Reply to Office Action of 04/19/2005
Page 12 of 13

There is no motivation to combine *Bankert* and *Kitto* in the manner suggested by the Examiner. The elongated member of *Bankert* teaches away from the indentations of *Kitto* since each serves the same function in a different manner. Either the elongated member or the indentations can be used to support the inner pipe within the outer pipe. There is no suggestion in either *Bankert* or *Kitto* that additional support is needed.

Bankert teaches away from the indentation described by *Kitto*. *Bankert* describes that the elongated member is to provide continuous support for the waveguide, whereas *Kitto* describes that the indentations provide support only at the curved portions of the pipe. Thus, the type of support provided by *Bankert* and *Kitto* differ. *Bankert* also describes that it is desirable to keep the waveguide from coming in substantial contact with the conduit, whereas *Kitto* describes that the inner pipe contacts that outer pipe at the indentations. Thus, *Bankert* and *Kitto* are directed to achieving different objectives with respect to the spacing of the inner pipe and the outer pipe.

Claim 17

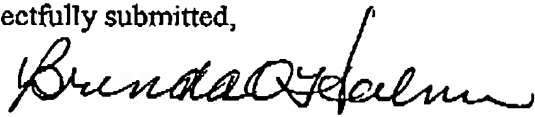
DE 144701 describes an inner pipe and an outer pipe. The inner pipe is wavy, but is crimped at the high and low amplitude portions, as shown in Figure 3. Claim 17 has been amended to clarify that the inner pipe carries a fluid and that it has a consistent cross-section. DE 144701 teaches away from the claimed invention since the crimped portions would obstruct the flow of fluid within the inner pipe.

Appln. No. Serial No. 10/781,528
Amdt. Dated 9/19/05
First Response in Appln, Reply to Office Action of 04/19/2005
Page 13 of 13

CONCLUSION

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,



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